

Adopted

Rejected

COMMITTEE REPORT

YES: 11
NO: 0

MR. SPEAKER:

StevensonStevenson

*Your Committee on Local Government, to which was referred Senate Bill 370, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill **be amended** as follows:*

1 Page 4, delete lines 5 through 19, begin a new paragraph and
2 insert:
3 "SECTION 2. IC 6-6-5-9, AS AMENDED BY P.L.62-1996,
4 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
5 JANUARY 1, 1999]: Sec. 9. (a) The bureau, in the administration and
6 collection of the annual license excise tax imposed by this chapter, may
7 utilize the services and facilities of license branches operated under
8 IC 9-16 in its administration of the motor vehicle registration laws of
9 the state of Indiana. The license branches may be so utilized in
10 accordance with such procedures, in such manner, and to such extent
11 as the bureau shall deem necessary and proper to implement and
12 effectuate the administration and collection of the excise tax imposed
13 by this chapter. However, in the event the bureau shall utilize such
14 license branches in the collection of excise tax, the following apply:
15 (1) The excise taxes so collected by each license branch, **less**
16 **any refunds made by the license branch**, shall be deposited

1 daily by the license branch in a separate account in a depository
 2 duly designated by the state board of finance. The county
 3 treasurer of the county for which the collections are due may
 4 withdraw funds from the account at least two (2) times each
 5 week. The county treasurer is responsible for the safekeeping
 6 and investment of money withdrawn by the county treasurer
 7 under this subsection. Before the eleventh day of the month
 8 following the month in which the collections are made, the
 9 bureau of motor vehicles shall report the excise taxes collected
 10 **and refunds made** outside the county to the county treasurer of
 11 the county to which the collections are due **and the refunds**
 12 **apply**. The bureau shall forward a copy of this excise tax report
 13 to the county auditor of the county.

14 (2) A license branch shall each week forward a report to the
 15 county auditor of the county to whom the collections are due,
 16 showing the excise tax collected on each vehicle, **each refund**
 17 **on a vehicle**, and a copy of each registration certificate for all
 18 collections **and refunds** within the county.

19 (3) Each license branch shall also report to the bureau all excise
 20 taxes collected **and refunds made** under this chapter in the same
 21 manner and at the same time as registration fees are reported.

22 (4) Premiums for insurance to protect the funds collected by
 23 license branches against theft shall be paid by the bureau, except
 24 that the bureau may issue blanket coverage for all branches at its
 25 discretion. At the discretion of the bureau, the bureau may:

26 (A) self-insure to cover the activities of the license
 27 branches; or

28 (B) rather than purchase a bond or crime policy for each
 29 branch, purchase a single blanket bond or crime insurance
 30 policy endorsed to include faithful performance to cover all
 31 branches.

32 (5) If the services of a license branch are used by the bureau in
 33 the collection of the excise tax imposed by this chapter, the
 34 license branch shall collect the service charge prescribed under

35 IC 9-29 for each vehicle registered upon which an excise tax is

1 collected by that branch.

2 (6) If the excise tax imposed by this chapter is collected by the
3 department of state revenue, the money collected shall be
4 deposited in the state general fund to the credit of the appropriate
5 county and reported to the bureau of motor vehicles on the first
6 working day following the week of collection. Any amount
7 collected by the department which represents interest or a
8 penalty shall be retained by the department and used to pay its
9 costs of enforcing this chapter.

10 The bureau may contract with a bank card or credit card vendor for
11 acceptance of bank or credit cards. However, if there is a vendor
12 transaction charge or discount fee, whether billed to the bureau or
13 charged directly to the bureau's account, the bureau shall collect from
14 the person using the card an official fee that may not exceed the highest
15 transaction charge or discount fee charged to the bureau by bank or
16 credit card vendors during the most recent collection period. This fee
17 may be collected regardless of retail merchant agreements between the
18 bank and credit card vendors that may prohibit such a fee. The fee is a
19 permitted additional charge under IC 24-4.5-3-202.

20 (b) On or before April 1 of each year the bureau shall provide to
21 the auditor of state the amount of motor vehicle excise taxes collected
22 for each county for the preceding year.

23 (c) On or before May 10 and November 10 of each year the auditor
24 of state shall distribute to each county one-half (1/2) of the amount of
25 delinquent taxes that have been credited to the county under subsection
26 (a). There is appropriated from the state general fund the amount
27 necessary to make the distributions required by this subsection. The
28 county auditor shall apportion and distribute the delinquent tax
29 distributions to the taxing units in the county at the same time and in
30 the same manner as excise taxes are apportioned and distributed under
31 section 10 of this chapter.

32 (d) The commissioner of insurance shall prescribe the form of the

- 1 bonds or crime policies required by this section".
(Reference is to SB 370 as reprinted February 3, 1998.)

and when so amended that said bill do pass.

Representative Stevenson